

DECISION
GRAFTON PLANNING BOARD
MODIFICATION OF
MAJOR BUSINESS SPECIAL PERMIT (2000-15) & SITE PLAN APPROVAL

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Expansion of Self Storage Facility

82 Worcester Street, North Grafton
Dirk Koopman for Hope Properties, LLC (Applicant / Owner)

Decision of the Planning Board of the Town of Grafton, Massachusetts (hereinafter the BOARD) on the petition of Dirk Koopman for Hope Properties, LLC (hereinafter the APPLICANT/OWNER) for the Modification of a Special Permit & Site Plan Approval (SP 2000-15) for the expansion of an existing self storage facility, for property located at 82 Worcester Street (hereinafter the SITE) and shown on the Grafton Assessor's Map 18, Lot 33, and owned by Hope Properties, LLC by deed recorded in the Worcester District Registry of Deeds Book 1970, Page . The application was formally received on November 4, 2014.

I. BACKGROUND

The above referenced application for the Modification of a Special Permit / Site Plan Approval (hereinafter Application) was submitted on November 4, 2014. The Planning Board considered the Application at a properly posted meeting of said Board on December 8, 2014 and continued to January 12, 2015. Notice of the public hearing and the subject matter thereof was published in the Grafton News on November 19 and November 26, 2014 and posted with Town Clerk's Office.

The following Board members were present during the entire public hearing process: Chairman David Robbins (Mullin Rule Certification – see EXHIBIT #17); Vice Chairman Michael Scully; Clerk Sargon Hanna, Members Robert Hassinger and Linda Hassinger; and Associate Member Andrew Clarke. At the hearing Norman Hill and Mark Gates of Land Planning, Inc. presented the proposal on behalf of the Applicant. Following public input the hearing was closed. The record of the proceedings and submissions upon which this decision is based may be referred to in the Office of the Town Clerk.

II. BACKGROUND

- 1) **Major Business Special Permit 2000-15 & Site Plan Approval** – Approved by the Planning Board on May 1, 2001; Construction of a Hardware Store / Lumber Yard, Retail Building, Self Storage Facility, and to allow limited filling of the 100 –Year Flood Plain.
- 2) **Amended Major Business Special Permit 2000-15 (First Modification) & Site Plan Approval** – Approved by the Planning Board on September 28, 2001; Extension of time within with to comply with multiple conditions of the original permit.
- 3) **Second Modification of Major Business Special Permit 2000-15 & Site Plan Approval** – Approved by the Planning Board on June 18, 2003; An increase in the size of the previously approved lumber storage building; alteration of the previously approved configuration of the self-storage buildings; proposed propane storage / sales facility; and additional required parking space resulting from expansion of the lumber storage building.

- 4) **Third Modification of Major Business Special Permit 2000-15 & Site Plan Approval** – Approved by the Planning Board on May 3, 2004; Alteration of the previously approved configuration of self-storage buildings, and the addition of an equipment storage building.

III. SUBMITTALS

The following items were submitted to the Board for its consideration of this application:

- EXHIBIT 1.** Unbound Application Materials submitted by Land Planning, Inc. on behalf of the Applicant, received on November 4, 2014; including the following materials:
- Application for Modification of Special Permit, dated November 4, 2014; 1 page.
 - Application for Modification of Site Plan Approval, dated November 4, 2014; 1 page.
 - Correspondence from Land Planning, Inc.; Submission of Site Plan Application, Koopman Lumber, Worcester Street, Grafton, MA; dated November 3, 2014; 1 page.
 - Certificate of Good Standing signed by the Treasurer / Collector's Office on October 24, 2014; 1 page.
 - Certified Abutters List signed by the Assessor's Office on October 29, 2014; 1 page
 - Plan Set, Grafton Self Storage, 82 Worcester Street, Grafton, MA, Self Storage Expansion; prepared by Land Planning Inc.; dated October 24, 2014; 11" x 17" and 24" x 36"; black & white; three sheets as follows:
 - o 1: Cover Sheet & Locus Plan
 - o 2: Existing Conditions Plan
 - o 3: Site Plan & Erosion Control Plan'
 - Site Visit Report from Graves Engineering, Koopman Lumber, dated August 29, 2014; received September 2, 2014; 1 page.
 - Stormwater Report, Grafton Self Storage Expansion, 82 Worcester Street; prepared by Land Planning, Inc.; dated October 24, 2014.
- EXHIBIT 2.** Project Review Memorandum, Zoning Board of Appeals; received November 7, 2014; 1 page.
- EXHIBIT 3.** Project Review Memorandum, Treasurer / Collector's Office; received November 12, 2014; 1 page.
- EXHIBIT 4.** Project Review Memorandum, Department of Public Works; received November 12, 2014; 1 page.
- EXHIBIT 5.** Project Review Memorandum, Board of Assessors; received November 19, 2014; 1 page.
- EXHIBIT 6.** Project Review Memorandum, Fire Department; received November 19, 2014; 1 page.
- EXHIBIT 7.** Project Review Memorandum, Police Department; received November 20, 2014; 1 page.
- EXHIBIT 8.** Project Review Memorandum, Board of Health; received December 2, 2014; 2 pages.

- EXHIBIT 9.** Correspondence from Graves Engineering, Grafton Self Storage Expansion, 82 Worcester Street – Site Plan Review; dated December 3, 2014; 2 pages.
- EXHIBIT 10.** Public Hearing Sign In Sheet for December 8, 2014; 1 page.
- EXHIBIT 11.** Request for Continuance of Public Hearing, submitted by Norman Hill of Land Planning, Inc.; received at the December 8, 2014 public hearing; 1 page.
- EXHIBIT 12.** Additional unbound application material submitted by Land Planning, Inc., received December 23, 2014; includes the following:
- Correspondence from Land Planning, Inc., Koopman Lumber, 82 Worcester Street, Grafton, MA; dated November 3, 2014; 1 page.
 - Correspondence from Graves Engineering, Grafton Self Storage Expansion, 82 Worcester Street Site Plan Review; dated December 3, 2014; 2 pages.
 - Plan Set; Grafton Self Storage, 82 Worcester Street, Grafton, MA; prepared by Land Planning, Inc.; 24" x 36", black & white; dated October 24, 2014, revised December 17, 2014; 4 sheets as follows:
 - o Sheet 1: Cover Sheet & Locus Plan
 - o Sheet 2: Existing Conditions Plan
 - o Sheet 3: Site Plan & Erosion Control Plan
 - o Sheet 4: Detail Plan
 - Stormwater Report, Grafton Self Storage Expansion, 82 Worcester Street; prepared by Land Planning, Inc.; dated October 24, 2014, revised December 17, 2014.
- EXHIBIT 13.** Copy of Correspondence from the Town of Grafton Department of Public Works to Norman Hill, Land Planning, Inc., Koopman Lumber Self Storage Expansion; dated and received January 5, 2015; 1 page.
- EXHIBIT 14.** Correspondence from Graves Engineering, Grafton Self Storage Expansion, 82 Worcester Street Site Plan Review; dated January 5, 2015, received January 6, 2015; 2 pages.
- EXHIBIT 15.** Plan Set; Grafton Self Storage, 82 Worcester Street, Grafton, MA; prepared by Land Planning, Inc.; 11 x 17", black & white; dated October 24, 2014, revised December 17, 2014; received January 7, 2014; 4 sheets as follows:
- o Sheet 1: Cover Sheet & Locus Plan
 - o Sheet 2: Existing Conditions Plan
 - o Sheet 3: Site Plan & Erosion Control Plan
 - o Sheet 4: Detail Plan
- EXHIBIT 16.** Copy of Correspondence from the Office of the Building Department to Norman Hill, Land Planning, Inc.; Koopman Lumber Self Storage Expansion; dated and received January 9, 2014; 1 page.
- EXHIBIT 17.** Mullin Rule Certification for David Robbins, Date of Missed Session – December 8, 2014; signed January 11, 2015; 1 page.
- EXHIBIT 18.** Public Hearing Sign In Sheet for January 12, 2015; 1 page.

III. FINDINGS

At their meeting of February 23, 2015 after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Scully, seconded by Mr. Hanna) voted 5-0 to make the following Findings:

- F1.)** That determinations regarding the following findings are based upon the documents and plans identified in this Decision, as well as the information and EXHIBITS submitted and presented in association with the Application.
- F2.)** That determinations regarding the following findings are also predicated upon conditions set forth in this decision, as well as all applicable Federal, State and Local regulations, except where modified by this Decision.
- F3.)** That the Site is located in a Commercial Business (CB) zoning district. The site is located within the Water Supply Protection Overlay District.
- F4.)** That during the public hearing the Applicant presented the proposed modification to the previously issued Special Permit MBSP 2000-15 and Site Plan Approval. The plan is to add one additional storage building similar in size and length as the existing buildings on site (see EXHIBIT #1). The Applicant plans to cut into a slope along the southern edge of the site and fit the building into the cut area. No new pavement and no changes to the existing grades are being proposed. Roof runoff will be piped to the existing infiltration system which has the capacity to accommodate the additional flow.
- F5.)** That during the public hearing the Board asked about the impervious surface calculation review by the Building Inspector given the fact that the site is located within the Water Supply Protection Overlay District. The Board finds that the Applicant provided that information prior to the close of the public hearing (see EXHIBIT #16 and FINDING #F8).
- F6.)** That during the public hearing the Board and the Applicant discussed review comments received from Graves Engineering which required minor revisions to the plan set submitted as part of the application. The Board finds that the Applicant made all the necessary revisions to the satisfaction of the peer review engineer of Graves Engineering (see EXHIBIT #14 and EXHIBIT #15).
- F7.)** That during the public hearing the Board asked if the diameter of the drain pipes on the new structure would match the systems on the existing structures. Mr. Gates stated that a 12 inch line to the infiltration would be installed and that this is a larger diameter than the lines from the other structures.
- F8.)** There was no public input received during the public hearing.
- F9.)** That the Board received comments received comments from the Board of Health stating "Commercial storage space so no Title V or drinking water issues." (See EXHIBIT #8).
- F10.)** That the Board received comments from the Department of Public Works stating that they have reviewed the project and that the "underground infiltration system is in compliance with MassDEP Stormwater Management Standards and is acceptable." (See EXHIBIT #13).
- F11.)** That the Board received comments from the Office of the Building Inspector stating that after review of the modification with the Town's Engineering Department and Conservation Commission that the

Building Inspector would allow the increase in impervious calculations as depicted in plans titled “Grafton Self Storage” prepared by Land Planning, Inc. (See EXHIBITS #15 and #16).

IV. DECISION AND CONDITIONS

At their meeting of February 23, 2015 after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Scully, seconded by Mr. Hanna) voted 5-0 to **APPROVE** the Modification of Special Permit (MBSP 2000-15) and Site Plan Approval with the following conditions:

- C1.)** Unless modified by this Decision, the approval of the expansion of the self storage facility does not significantly alter the intent and purpose of the original approved plan as part of the Special Permit (MBSP 2000-15) and Site Plan Approval as voted upon by the Planning Board on August 31, 2001 (see EXHIBIT #2).
- C2.)** The Applicant shall maintain the site in accordance with the originally approved plan with the approved modification granted by this Decision. The Applicant shall proceed in a manner that conforms to CONDITIONS set forth in this DECISION as well as the plans and identified within EXHIBIT #15.
- C3.)** Unless modified by this Decision, all conditions of the previous Special Permit (MBSP 2000-15) and Site Plan Approval decision as referenced herein, remain in full force and effect.
- C4.)** This Modification of Special Permit MBSP 2000-15 shall be recorded at the Worcester District Registry of Deeds within thirty (30) days following the expiration of the appeal period. A copy of such recorded Special Permit decision, including Deed Book and Page Number shall be submitted to the Planning Board office within thirty (30) days of recording.
- C5.)** By recording this decision in the Worcester Registry of Deeds, the applicant agrees to and accepts the conditions set forth in this Special Permit decision.
- C6.)** Any modification to the use or Site as described within this Decision and as presented to the Board during the public meeting and in the above referenced EXHIBITS shall require, prior to implementing such change, a determination from the Planning Board as to whether the proposed change is substantially different than presented in the materials and information used in making this Decision. The Planning Board reserves the right to solicit comments from other Town boards, departments and committees, as well as its consulting engineer, in making determinations regarding such changes. The Planning Board may, upon its determination, require a modification of this Decision (or other approvals if deemed necessary) if it finds that the proposed change(s) are substantial in nature and of public concern, and substantially alter the plans and information used in making this Decision. Any Modification of this Decision shall be made pursuant to Section 1.3.3 of the Zoning By-law, and any other applicable regulations.

V. RECORD OF VOTE

Constituting a majority of the Planning Board, the following members voted to approve the Applicant's application for a security guard apartment based on the information received at the public meeting and the aforementioned findings, and subject to the aforementioned conditions.

David Robbins, Chairman AYE

Michael Scully, Vice Chairman AYE

Sargon Hanna, Clerk - AYE

Linda Hassinger, Member - AYE

Robert Hassinger, Member - AYE

DATE OF FILING OF DECISION: BY ORDER OF THE BOARD

February 25, 2015



Joseph Laydon, Town Planner

- cc: Applicant / Owner
- Building Inspector
 - Conservation Commission

To Whom It May Concern: This is to certify that the 20 day appeal period has passed and there have been no appeals made to this office.

Donna Girouard, Town Clerk

Date